

REMARKS

Prior to this amendment, claims 33, 35-48 and 50-60 were pending with claims 57-60 being withdrawn from consideration. By this amendment, claims 34, 35, 42-48, and 50-60 have been canceled without prejudice or disclaimer. Therefore claims 33 and 36-42 are currently pending.

Applicants acknowledge, with appreciation, the indication from the Examiner that claims 37-41 are allowable and that claims 35-36 contain allowable subject matter. As shown above, the claims have been amended to place this case in condition for allowance. In particular, to advance prosecution, and in no way acquiescing to the correctness of the rejections, Applicants have amended independent claim 33 with the allowable subject matter of claim 35, e.g., to include the limitations that the alloy transforms from an austenite phase to a martensite phase upon the application of stress in an amount greater than **70 ksi**. Thus, new matter has not been added. In view of this amendment, claim 33, and each claim dependent there from, should be in condition for allowance.

Applicants have also canceled claim 55, which had been rejected under 35 U.S.C. § 112, second paragraph. Thus this rejection is now moot.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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/Louis Troilo/

Dated: March 19, 2007

By: _____
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